06-18-01

Atty. Dkt. No. 018483-0710

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joachim Horsch

Title: HYDRO-MECHANICAL

TRANSMISSION

Prior Appl. No.: 09/496.181

Prior Appl. Filing Date: 1/31/2000

Examiner: To Be Determined

Art Unit: To Be Determined

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# CONTINUING REISSUE PATENT APPLICATION TRANSMITTAL

Commissioner for Patents

Box REISSUE

Washington, D.C. 20231

Sir:

Transmitted herewith for filing under 37 C.F.R. § 1.53(b), 37 CFR § 1.173, and 37 CFR § 1.177 is a:

[ ] Continuation [ X ] Division [ ] Continuation-In-Part (CIP)

of the above-identified copending prior application in which no patenting, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this continuing application.

Applicant claims small entity status under 37 CFR 1.27.

## Enclosed are:

- [ X ] Specification and Claims in double column copy of patent format (amended per 37 CFR § 1.173(b)) (11 pages).
- [X] Drawings (3 sheets, Figures 1-3).
- [X] Copy of Reissue Oath/Declaration (2 pages).
- [X] Copy of Written Consent of Assignee (1 page).
- [X] Copy of Statement Under 37 CFR 3.73(b) (1 page).
- [X] Information Disclosure Statement (1 page).

# [X] Form PTO-1449 with copies of 24 listed reference(s).

The filing fee is calculated below:

	Claims	Included in		Extra				Fee
	as Amended	Basic Fee		Claims		Rate		Totals
Basic Fee						\$710.00		\$710.00
Total Claims:	11	- 20	=	0	×	\$18.00	=	\$0.00
Independents:	2	- 3	=	0	×	\$80.00	=	\$0.00
If any Multiple Dependent Claim(s) present: + \$270.00					=	\$0.00		
						SUBTOTAL:	=	\$710.00
[ ]	Small Er	ntity Fees	Appl	y (subtra	ct ½	of above):	=	\$0.00
				TOT	AL F	FILING FEE:	=	\$710.00

- [X] A check in the amount of \$710.00 to cover the filing fee is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, postdated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted.

**FOLEY & LARDNER** Firstar Center

777 Fast Wisconsin Avenue Milwaukee, Wisconsin 53202-5367

Telephone: (414) 297-5897 Facsimile:

(414) 297-4900

Jeffrey S. Gundersen Attorney for Applicant Registration No. 47,619

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joachim Horsch

Title: HYDRO-MECHANICAL

TRANSMISSION

Appl. No.: To Be Determined

Filing Date: 06/15/2001

Examiner: To Be Determined

Art Unit: To Be Determined

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Services "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, Washington, D.C. 20231.

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Ochorah A. Kocorowski

(Printed Name)

## TRANSMITTAL OF FORMAL DRAWINGS

Commissioner for Patents Washington, D.C. 20231

ATTENTION: DRAWING REVIEW BRANCH

Sir:

Transmitted herewith are the formal drawings (3 sheets, Figures 1-3) for the above-identified application. The Official Draftsperson is respectfully requested to approve these drawings for entry into the application.

Respectfully submitted,

FOLEY & LARDNER Firstar Center

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Jeffrey S. Gundersen Attorney for Applicant

Registration No. 47,619

Applicant: Joachim Horsch

Title: HYDRO-MECHANICAL

TRANSMISSION

Patent No.: 5,865,700

Issue Date: 2/2/99

Appl. No.: To be determined

Filing Date: To be determined

Examiner: To be determined

Art Unit: To be determined

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Chris Escavaille

Britical Name)

Gignature)

## WRITTEN CONSENT OF ASSIGNEE

Box PATENT APPLICATION Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

Case Corporation, assignee of U.S. Patent No. 5,865,700, consents to the filing of the above-captioned present application for reissue of U.S. Patent No. 5,865,700.

Date 28, 2000

Clement L. Budny, Jr.
Associate General Counsel
Case Corporation

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PTO/S88(6,69)
Approved for use invouch 09/30/2000, OMB 0591-0509
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Under the Paperwork Reduction Act of 1985, no persons are required to rescond to a collection of information unlikes it disclays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)							
Applicant/PatentOwner:Joachim Horsch							
Application No./Patent No.: 5,865,700 Filed/Issue Date: 2/2/99							
Entitled: HYDRO-MECHANICAL TRANSMISSION							
case Corporation,a							
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)							
states that it is:							
1. X the assignee of the entire right, title, and interest; or							
2. an assignee of an undivided part interest							
in the patent application/patent identified above by virtue of either:							
A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.							
OR							
B. 🔀 A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:							
From: Joachim Horsch To: Case Corporation     The document was recorded in the Patent and Trademark Office at     Reel 8530 , Frame 0692 , or for which a copy thereof is attached.							
From: To: To: The document was recorded in the Patent and Trademark Office at Reel, Frame, or for which a copy thereof is attached.							
To: The document was recorded in the Patent and Tracederark Office at Real, Frame, or for which a copy thereof is attached.							
[ ] Additional documents in the chain of title are listed on a supplemental sheet.							
[ ] Copies of assignments or other documents in the chain of title are attached. NOTE: A separate copy &e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]							
The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.							
Typed or printed name							
Associate General Counsel Title							